

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
:
UNITED STATES OF AMERICA :
:
- v. - :
:
CESAR VASQUEZ JORDAN, :
a/k/a "Aguila," :
a/k/a "Primo," and :
MICKY COLON MARTINEZ, :
:
Defendants. :
:
- - - - - X

INDICTMENT

22 Cr. _____

22 CRIM 473

COUNT ONE
(Firearms Trafficking Conspiracy)

The Grand Jury charges:

1. From at least on or about June 25, 2022, until at least in or about August 2022, in the Southern District of New York and elsewhere, CESAR VASQUEZ JORDAN, a/k/a "Aguila," a/k/a "Primo," and MICKY COLON MARTINEZ, the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to traffic in firearms, in violation of Title 18, United States Code, Section 933.

2. It was a part and an object of the conspiracy that CESAR VASQUEZ JORDAN, a/k/a "Aguila," a/k/a "Primo," and MICKY COLON MARTINEZ, the defendants, and others known and unknown, would and did ship, transport, transfer, cause to be transported, and

otherwise dispose of a firearm to another person in or otherwise affecting interstate commerce, and did so knowing and having reasonable cause to believe that the use, carrying, and possession of a firearm by the recipient would constitute a felony as defined in Title 18, United States Code, Section 932(a).

(Title 18, United States Code, Section 933(a)(3).)

COUNT TWO
(Firearms Trafficking)

The Grand Jury further charges:

3. On or about July 6, 2022, in the Southern District of New York and elsewhere, CESAR VASQUEZ JORDAN, a/k/a "Aguila," a/k/a "Primo," the defendant, did ship, transport, transfer, cause to be transported, and otherwise dispose of a firearm to another person in or otherwise affecting interstate commerce, and did so knowing and having reasonable cause to believe that the use, carrying, and possession of a firearm by the recipient would constitute a felony as defined in Title 18, United States Code, Section 932(a), to wit, VASQUEZ JORDAN sold numerous firearms, including assault rifles and firearms with large capacity magazines, to a purchaser in the Bronx, New York.

(Title 18, United States Code, Sections 933(a)(1), and 2.)

COUNT THREE
(Attempted Firearms Trafficking)

The Grand Jury further charges:

4. On or about August 11, 2022 in the Southern District of New York and elsewhere, CESAR VASQUEZ JORDAN, a/k/a "Aguila," a/k/a "Primo," and MICKY COLON MARTINEZ, the defendants, did ship, transport, transfer, cause to be transported, and otherwise dispose of a firearm to another person in or otherwise affecting interstate commerce, and did attempt to do the same, and did so knowing and having reasonable cause to believe that the use, carrying, and possession of a firearm by the recipient would constitute a felony as defined in Title 18, United States Code, Section 932(a), to wit, VASQUEZ JORDAN and COLON MARTINEZ sold and attempted to sell numerous firearms, including assault rifles and firearms with large capacity magazines, to a purchaser in the Bronx, New York.

(Title 18, United States Code, Sections 933(a)(1), 933(a)(3),
and 2.)

COUNT FOUR
**(Transfer of a Firearm for Use in a Felony and a Drug
Trafficking Crime)**

The Grand Jury further charges:

5. On or about July 6, 2022, in the Southern District of New York and elsewhere, CESAR VASQUEZ JORDAN, a/k/a "Aguila," a/k/a "Primo," the defendant, did knowingly transfer a firearm,

knowing and with reasonable cause to believe that the firearm would be used to commit a felony and a drug trafficking crime, to wit VASQUEZ JORDAN sold numerous firearms, including assault rifles and firearms with large capacity magazines, along with methamphetamine, to a purchaser in the Bronx, New York.

(Title 18, United States Code, Section 924(h) and 2.)

COUNT FIVE

(Attempted Transfer of a Firearm for Use in a Felony and a Drug Trafficking Crime)

The Grand Jury further charges:

6. On or about August 11, 2022, in the Southern District of New York and elsewhere, CESAR VASQUEZ JORDAN, a/k/a "Aguila," a/k/a "Primo," and MICKY COLON MARTINEZ, the defendants, did knowingly transfer a firearm, and did attempt to do the same, knowing and with reasonable cause to believe that the firearm would be used to commit a felony and a drug trafficking crime, to wit, VASQUEZ JORDAN and COLON MARTINEZ sold and attempted to sell numerous firearms, including assault rifles and firearms with large capacity magazines, along with fentanyl, to a purchaser in the Bronx, New York.

(Title 18, United States Code, Section 924(h) and 2.)

COUNT SIX
(Unlicensed Firearms Dealing)

The Grand Jury further charges:

7. From at least in or about June 2022 until at least in or about August 2022, in the Southern District of New York and elsewhere, CESAR VASQUEZ JORDAN, a/k/a "Aguila," a/k/a "Primo," and MICKY COLON MARTINEZ, the defendants, not being licensed importers, licensed manufacturers, and licensed dealers of firearms within the meaning of Chapter 44, Title 18, United States Code, did willfully and knowingly engage in the business of dealing in firearms, and in the course of such business did ship, transport, and receive firearms in interstate and foreign commerce, to wit, VASQUEZ JORDAN and COLON MARTINEZ illegally sold firearms in the Bronx, New York.

(Title 18, United States Code, Sections 922(a)(1)(A),
924(a)(1)(D), and 2.)

COUNT SEVEN
(Interstate Transportation and Distribution of Firearms)

The Grand Jury further charges:

8. On or about June 23, 2022, in the Southern District of New York and elsewhere, CESAR VASQUEZ JORDAN, a/k/a "Aguila," a/k/a "Primo," and MICKY COLON MARTINEZ, the defendants, not being licensed importers, licensed manufacturers, licensed dealers, and licensed collectors of firearms within the meaning of Chapter 44, Title 18, United States Code, willfully and knowingly did transfer,

sell, trade, give, transport, and deliver a firearm to another individual, said person not being a licensed importer, licensed manufacturer, licensed dealer, or licensed collector of firearms within the meaning of Chapter 44, Title 18, United States Code, and knowing and with reasonable cause to believe that said person was not then residing in Ohio, the State in which the defendants were then residing, to wit, VASQUEZ JORDAN and COLON MARTINEZ resided in Ohio and traveled, from Ohio, to the Bronx, New York, where they sold firearms.

(Title 18, United States Code, Sections 922(a)(5), 924(a)(1)(D), and 2.)

COUNT EIGHT

(Interstate Transportation and Distribution of Firearms)

The Grand Jury further charges:

9. On or about July 6, 2022, in the Southern District of New York and elsewhere, CESAR VASQUEZ JORDAN, a/k/a "Aguila," a/k/a "Primo," the defendant, not being a licensed importer, licensed manufacturer, licensed dealer, and licensed collector of firearms within the meaning of Chapter 44, Title 18, United States Code, willfully and knowingly did transfer, sell, trade, give, transport, and deliver a firearm to another individual, said person not being a licensed importer, licensed manufacturer, licensed dealer, or licensed collector of firearms within the meaning of Chapter 44, Title 18, United States Code, and knowing and with

reasonable cause to believe that said person was not then residing in Ohio, the State in which the defendant was then residing, to wit, VASQUEZ JORDAN resided in Ohio and traveled, from Ohio, to the Bronx, New York, where he sold firearms.

(Title 18, United States Code, Sections 922(a)(5), 924(a)(1)(D), and 2.)

COUNT NINE
(Narcotics Trafficking Conspiracy)

The Grand Jury further charges:

10. From at least in or about June 2022 until at least in or about August 2022, in the Southern District of New York and elsewhere, CESAR VASQUEZ JORDAN, a/k/a "Aguila," a/k/a "Primo," and MICKY COLON MARTINEZ, the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

11. It was a part and an object of the conspiracy that CESAR VASQUEZ JORDAN, a/k/a "Aguila," a/k/a "Primo," and MICKY COLON MARTINEZ, the defendants, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

12. The controlled substances that CESAR VASQUEZ JORDAN, a/k/a "Aguila," a/k/a "Primo," and MICKY COLON MARTINEZ,

the defendants, conspired to distribute and possess with intent to distribute were (i) 50 grams and more of mixtures and substances containing a detectable amount of methamphetamine, in violation of Title 21, United States Code, Section 841(b)(1)(B); and (ii) mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Section 846.)

COUNT TEN
(Firearms Use, Carrying, and Possession)

The Grand Jury further charges:

13. From at least in or about June 2022 until at least in or about August 2022, in the Southern District of New York and elsewhere, CESAR VASQUEZ JORDAN, a/k/a "Aguila," a/k/a "Primo," and MICKY COLON MARTINEZ, the defendants, during and in relation to a drug trafficking crime for which they may be prosecuted in a court of the United States, namely, the narcotics trafficking conspiracy charged in Count Nine of this Indictment, knowingly did use and carry firearms, and, in furtherance of such crime, did possess firearms, and did aid and abet the use, carrying, and possession of firearms.

(Title 18, United States Code, Sections 924(c)(1)(A)(i) and 2.)

FORFEITURE ALLEGATIONS

14. As a result of committing the offenses alleged in Count One through Three of this Indictment, CESAR VASQUEZ JORDAN, a/k/a "Aguila," a/k/a "Primo," and MICKY COLON MARTINEZ, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28 United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

15. As a result of committing the offenses alleged in Counts One through Eight, and Count Ten, of this Indictment, CESAR VASQUEZ JORDAN, a/k/a "Aguila," a/k/a "Primo," and MICKY COLON MARTINEZ, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28 United States Code, Section 2461(c), any and all firearms and ammunition involved in or used in said offenses.

16. As a result of committing the offense alleged in Count Nine of this Indictment, CESAR VASQUEZ JORDAN, a/k/a "Aguila," a/k/a "Primo," and MICKY COLON MARTINEZ, the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting, or

derived from, any proceeds obtained, directly or indirectly, as a result of said offense and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

Substitute Assets Provision

17. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;


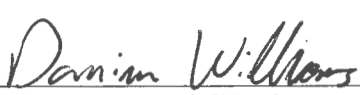
d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code,

Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 924 & 981;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)

	
FOREPERSON	DAMIAN WILLIAMS United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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UNITED STATES OF AMERICA

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CESAR VASQUEZ JORDAN,
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Defendants.


INDICTMENT

22 Cr. _____

(18 U.S.C. §§ 922, 924, & 933;
21 U.S.C. § 846.)

DAMIAN WILLIAMS
United States Attorney


Foreperson

Indictment filed 9/6/22
True bill
before OTW 

Wheel B: J. Swain / OTW · 9.6.22